EXHIBIT A

22783 U.S. PTO 110106

113014 U.S.PTO 11/591696 110106

PTO/SB/05 (07-06)
Approved for use through 01/31/2007. OMB 0651-0032
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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	112076-150849
First Inventor	Christopher Phillips
Title	MASKING PRIVATE BILLING DATA BY ...
Express Mail Label No.	ED 505860362 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. [✓] **Fee Transmittal Form** (e.g., PTO/SB/17) *(Submit an original and a duplicate for fee processing)*
2. [ ] **Applicant claims small entity status.** See 37 CFR 1.27.
3. [✓] **Specification** [*Total Pages* 34] Both the claims and abstract must start on a new page *(For information on the preferred arrangement, see MPEP 608.01(a))*
4. [✓] **Drawing(s)** *(35 U.S.C. 113)* [*Total Sheets* 5]
5. **Oath or Declaration** [*Total Sheets* 4]
   a. [ ] Newly executed (original or copy)
   b. [ ] A copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional with Box 18 completed)*
      i. [ ] DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. [ ] **Application Data Sheet.** See 37 CFR 1.76
7. [ ] **CD-ROM or CD-R** in duplicate, large table or Computer Program *(Appendix)* [ ] Landscape Table on CD
8. **Nucleotide and/or Amino Acid Sequence Submission** *(if applicable, items a. – c. are required)*
   a. [ ] Computer Readable Form (CRF)
   b. Specification Sequence Listing on:
      i. [ ] CD-ROM or CD-R (2 copies); or
      ii. [ ] Paper
   c. [ ] Statements verifying identity of above copies

ADDRESS TO: **Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450**

ACCOMPANYING APPLICATION PARTS

9. [ ] **Assignment Papers** (cover sheet & document(s)) Name of Assignee
10. [ ] **37 CFR 3.73(b) Statement** *(when there is an assignee)* [ ] **Power of Attorney**
11. [ ] **English Translation Document** *(if applicable)*
12. [ ] **Information Disclosure Statement** (PTO/SB/08 or PTO-1449) [ ] Copies of citations attached
13. [✓] **Preliminary Amendment**
14. [ ] **Return Receipt Postcard** (MPEP 503) *(Should be specifically itemized)*
15. [ ] **Certified Copy of Priority Document(s)** *(if foreign priority is claimed)*
16. [ ] **Nonpublication Request** under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or equivalent.
17. [ ] Other:

18. If a CONTINUING APPLICATION, *check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:*

[ ] Continuation [✓] Divisional [ ] Continuation-in-part (CIP) of prior application No.: 09/553,068

Prior application information: *Examiner* Jagdish Patel *Art Unit:* 3693

19. CORRESPONDENCE ADDRESS

[✓] The address associated with Customer Number: 0025943 *OR* [ ] Correspondence address below

Name					
Address					
City		State		Zip Code	
Country		Telephone		Email	

Signature	Steve Prewitt	Date	November 1, 2006
Name (Print/Type)	Steven J. Prewitt	Registration No. (Attorney/Agent)	45,023

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for: Christopher Phillips et al. Application No.: 11/591,696 Filed: November 1, 2006 For: Masking Private Billing Data by Assigning Other Billing Data to Use in Commerce with Businesses	Examiner: Jagdish Patel Art Group: 3693 Confirmation No.: 8266

Mail Stop AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

In response to the Office Action mailed January 8, 2009, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this paper.

Remarks begin on page 8 of this paper.

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-25. (Cancelled).

26. (Currently Amended) A method ~~comprising~~ for a user to provide substitute billing data in lieu of personal billing data, comprising:

an electronic device facilitating a request to a billing service for first and second distinct credit card numbers, including identifying each business with which the first and second distinct credit card numbers are to be used;

~~an~~ the electronic device obtaining the first and second distinct credit card numbers from ~~a~~ the billing service for use by the user as a substitute for said personal billing data, the first and second distinct credit card numbers associated with each said business by the billing service;

the electronic device ~~selecting a first of said credit card numbers to facilitate conduct of multiple~~ facilitating one or more purchasing transactions with a first associated business using the first credit card number; and

the electronic device ~~selecting a second of said credit card numbers to facilitate conduct of multiple~~ facilitating one or more purchasing transactions with a second associated business using the second credit card number.

27. (Currently Amended) The method of claim 26, wherein the electronic device is a portable digital assistant, said method further comprising:

the electronic device disposing said distinct credit card numbers in a memory within the electronic device;

the electronic device identifying a connection to, or a submitted request to connect to, ~~attempt to~~ a particular business;

the electronic device ~~looking~~ determining whether ~~for~~ a selected credit card number associated with ~~for~~ the particular business is present in the memory; and

if found in the memory, the electronic device displaying the selected credit card number for the particular business.

28. (Currently Amended) The method of claim 27, further comprising:

if no selected credit card number for the particular business is found, the electronic device then selecting a third credit card number from said distinct credit card numbers to facilitate ~~conduct of~~ purchasing transactions with the particular business; and

the electronic device automatically conveying to the billing service of said selection of said third credit card number to conduct purchasing transactions with the particular business.

29. (Currently Amended) The method of claim 26, wherein the method further comprises:

the electronic device notifying the billing service of said selection of said first and second distinct credit card numbers to facilitate ~~multiple~~ purchasing transactions with said first and second businesses respectively, including identifying the first and second businesses for which the first and second distinct credit card numbers were selected.

30. (Currently Amended) A method comprising:

a billing service registering a user; ~~and~~

the billing service receiving identification of a first and a second business with which the user intends to conduct one or more purchasing transactions;

the billing service ~~providing~~ associating ~~at least~~ a first and a second billing data, that are separate and distinct, ~~for use by the user as substitutes for personal billing data~~

~~for subsequent purchasing transactions~~ with ~~a~~ the first and ~~a~~ the second business respectively; and

the billing service providing the first and second billing data for use by the user as substitutes for personal billing data for subsequent purchasing transactions.

31. (Currently Amended) The method of claim 30, wherein said first billing data further comprises:

a third billing data for use by said first business for charging the billing service for goods purchased by said user; and

a fourth billing data for use by the billing service for billing the user for charges received from said first business.

32-34. (Cancelled).

35. (Previously Presented) The method of claim 30, further comprising:

the billing service providing in real time said first and second billing data to an electronic device used by the user,

wherein the electronic device is operable to purchase goods from said first and second businesses.

36. (Previously Presented) The method of claim 30, further comprising:

the billing service receiving notification of usage of said first and second billing data with said first and second businesses from an electronic device used by the user.

37. (Previously Presented) The method of claim 36, wherein said receiving notification comprises receiving a charge against one of said first and second billing data by a corresponding one of said first and second businesses.

38-52. (Cancelled).

53. (Currently Amended) An apparatus comprising:

a storage medium having stored therein a plurality of programming instructions designed to enable the apparatus, when the programming instructions are executed, to register a user, receive identification of a first and a second business with which the user intends to conduct one or more purchasing transactions, associate ~~provide at least~~ a first and a second billing data, that are separate and distinct, with the first and the second business respectively, and provide the first and second billing data for use by ~~a~~ the user as substitutes for personal billing data when conducting purchasing transactions with ~~a~~ the first and ~~a~~ the second businesses ~~respectively~~; and

a processor coupled to the storage medium to execute the plurality of programming instructions.

54. (Currently Amended) The apparatus of claim 53, wherein said first billing data further comprises:

a third billing data used by said first business for charging the billing service for goods purchased by said user; and

a fourth billing data for use by the billing service for billing the user for charges received from said first business.

55-57. (Cancelled).

58. (Previously Presented) The apparatus of claim 53, wherein the programming instructions, when executed by said processor, enable the apparatus to:

provide in real time said first billing data to an electronic device operable to purchase goods from said first business.

59. (Previously Presented) The apparatus of claim 53, wherein the programming instructions, when executed by said processor, enable the apparatus to:

receive notification of usage of said first billing data with said first business from an electronic device used by a purchaser.

60. (Currently Amended) The ~~method~~ apparatus of claim 59, wherein said receiving notification comprises receiving a charge against said first billing data, the charge being made by said first business.

61. (New) An apparatus for a user to provide substitute billing data in lieu of personal billing data, comprising:

means for facilitating a request to a billing service for first and second distinct credit card numbers, including identifying each business with which the first and second distinct credit card numbers are to be used;

means for obtaining the first and second distinct credit card numbers from the billing service for use by the user as a substitute for said personal billing data, the first and second distinct credit card numbers associated with each said business by the billing service;

means for facilitating one or more purchasing transactions with a first associated business using the first credit card number; and

means for facilitating one or more purchasing transactions with a second associated business using the second credit card number.

62. (New) The apparatus of claim 61, further comprising means for notifying the billing service of said selection of said first and second distinct credit card numbers to facilitate purchasing transactions with said first and second businesses respectively, including identifying the first and second businesses for which the first and second distinct credit card numbers were selected.

63. (New) An article of manufacture including a computer-readable medium having instructions stored thereon that, if executed by a computing device, cause the computing device to perform a method comprising:

registering a user;

receiving identification of a first and a second business with which the user intends to conduct one or more purchasing transactions;

associating a first and a second billing data, that are separate and distinct, with the first and the second business respectively; and

providing the first and second billing data for use by the user as substitutes for personal billing data when conducting purchasing transactions with the first and the second businesses.

64. (New) The article of manufacture of claim 63, wherein the instructions, if executed by the computing device, further cause the computing device to receive notification of usage of said first billing data with said first business from an electronic device used by a purchaser.

REMARKS

Summary

Claims 26-32, 35-37, 53-55, and 58-60 were pending. In the present response, claims 32 and 55 are cancelled, claims 26-31, 53, 54, and 60 are amended, and claims 61-64 are added. No new matter has been added.

Accordingly, claims 26-31, 35-37, 53, 54, and 58-64 are pending and under consideration.

Rejections of Claims Under 35 USC 112

Claims 26-32, 35-37, 53-55, and 58-60 were rejected under 35 USC 112, second paragraph. The claims have been amended to clarify various elements of the claims and the stated interaction of the parties. Applicants submit that the claims are sufficiently clear and do not omit essential steps. Withdrawal of the rejections is respectfully requested.

Rejections of Claims Under 35 USC 102

Claims 26-32, 35-37, 53-55, and 58-60 were rejected under 35 USC 102 over US Patent No. 6,636,833 to Flitcroft et al. (Flitcroft). Applicants respectfully traverse the rejections in light of the amendments to the claims and the remarks below.

Flitcroft teaches a credit card system whereby limited-use credit card numbers are provided by the system to the user to screen the user's master credit card number, see Column 6, lines 39-64. With respect to claim 26, Flitcroft does not teach all the operations of the method as defined.

Amended claim 26 now recites in part

"an electronic device facilitating a request to a billing service for first and second distinct credit card numbers, including identifying each business with which the first and second distinct credit card numbers are to be used;

the electronic device obtaining the first and second distinct credit card numbers from the billing service for use by the user as a substitute for said personal billing data,

the first and second distinct credit card numbers associated with each said business by the billing service …"

Flitcroft does not provide a method for "identifying each business" with which the "credit card numbers are to be used" as part of a "request" for "distinct credit card numbers," such as is recited in claim 26. In addition, Flitcroft does not teach that the "credit card numbers [were] associated with each said business by the billing service," as recited in claim 26. Flitcroft only states the vague notion of a credit card number being limited to a merchant, which "can be prearranged by the user." See Flitcroft, Column 16, lines 58-59. By contrast, claim 26 indicates that the credit numbers obtained by the electronic device are "associated with each business by the billing service." Claim 26 is thus distinguishable over Flitcroft.

Claims 30 and 53 contain language similar to that of claim 26 and thus claims 30 and 53 are patentable over Flitcroft for at least the same reasons as claim 26.

Claims 27-29, 31, 35-37, 54, and 58-60 are dependent, directly or indirectly, on claims 26, 30, and 53 and thus are patentable over Flitcroft for at least the same reasons discussed above.

Conclusion

Applicants respectfully submit that all the claims are in condition for allowance, and early issuance of the Notice of Allowance is respectfully requested.

If the Examiner has any questions, the Examiner is invited to contact the undersigned at (503) 796-2844. Please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,

SCHWABE, WILLIAMSON & WYATT, P.C.

Dated: April 6, 2009

/Steven J. Prewitt/
Steven J. Prewitt
Reg. No. 45,023

Pacwest Center, Suite 1900
1211 SW Fifth Avenue
Portland, Oregon 97204
Telephone: 503-222-9981

Electronic Patent Application Fee Transmittal

Application Number:	11591696
Filing Date:	01-Nov-2006
Title of Invention:	Masking private billing data by assigning other billing data to use in commerce with businesses
First Named Inventor/Applicant Name:	Christopher Phillips
Filer:	Steven Johnson Prewitt/Michelle Turner
Attorney Docket Number:	112076-150849

Filed as Large Entity

Utility under 35 USC 111(a) Filing Fees

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Basic Filing:				
Pages:				
Claims:				
Independent claims in excess of 3	1201	2	220	440
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				

Description	Fee Code	Quantity	Amount	Sub-Total in USD($)
Miscellaneous:				
		Total in USD ($)		**440**

Electronic Acknowledgement Receipt

EFS ID:	5101471
Application Number:	11591696
International Application Number:	
Confirmation Number:	8266
Title of Invention:	Masking private billing data by assigning other billing data to use in commerce with businesses
First Named Inventor/Applicant Name:	Christopher Phillips
Customer Number:	25943
Filer:	Steven Johnson Prewitt/Michelle Turner
Filer Authorized By:	Steven Johnson Prewitt
Attorney Docket Number:	112076-150849
Receipt Date:	06-APR-2009
Filing Date:	01-NOV-2006
Time Stamp:	18:11:01
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	yes
Payment Type	Deposit Account
Payment was successfully received in RAM	$440
RAM confirmation Number	4420
Deposit Account	500393
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)

1		112076_150849_Resp.pdf	87053 e44a907c142a5615224e79e518da6466adefe551	yes	10

	Multipart Description/PDF files in .zip description		
	Document Description	**Start**	**End**
	Amendment/Req. Reconsideration-After Non-Final Reject	1	1
	Claims	2	7
	Applicant Arguments/Remarks Made in an Amendment	8	10

Warnings:

Information:

2	Fee Worksheet (PTO-06)	fee-info.pdf	30121 986dc1c0202e044ef699cd81f15baccd655a0134	no	2

Warnings:

Information:

Total Files Size (in bytes):	117174

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

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PATENT APPLICATION FEE DETERMINATION RECORD
Substitute for Form PTO-875

Application or Docket Number	Filing Date	☐ To be Mailed
11/591,696	11/01/2006	

APPLICATION AS FILED – PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY FEE ($)
☐ BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	
☐ SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	
☐ EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =	*	X $ =		OR	X $ =	
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =	*	X $ =			X $ =	
☐ APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						
☐ MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	

APPLICATION AS AMENDED – PART II

AMENDMENT	04/06/2009	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE ($)	SMALL ENTITY ADDITIONAL FEE ($)	OR	OTHER THAN SMALL ENTITY RATE ($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	* 18	Minus	** 20	= 0	X $ =		OR	X $52=	0
	Independent (37 CFR 1.16(h))	* 5	Minus	***3	= 2	X $ =		OR	X $220=	440
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	**440**

AMENDMENT		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	RATE ($)	ADDITIONAL FEE ($)	OR	RATE ($)	ADDITIONAL FEE ($)
	Total (37 CFR 1.16(i))	*	Minus	**	=	X $ =		OR	X $ =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	X $ =		OR	X $ =	
	☐ Application Size Fee (37 CFR 1.16(s))									
	☐ FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Legal Instrument Examiner:
/DAWN BREWER/

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.